

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ORIGINAL
JAN 11 2006
2005 DEC -6 P 12: 53
CHIEF CLERK'S OFFICE
NO. 05-0775

ONEIDA NETWORK SERVICES, INC.,)
)
Petition for Emergency Relief to protect Petitioner's)
annual report from disclosure for not less than five)
years in order to protect highly proprietary information)

PETITION FOR PROPRIETARY TREATMENT

NOW COMES Oneida Network Services, Inc. ("Petitioner") and hereby petitions the Illinois Commerce Commission ("Commission") for emergency relief to protect Petitioner's Annual Report for the year ending December 31, 2005 from disclosure for not less than five years in order to protect highly proprietary information included therein. In support of this Petition, Petitioner states as follows:

7. Petitioner is certificated by the Commission and provides competitive telecommunications services in the State of Illinois.

8. Petitioner is required to file an annual report pursuant to §5-109 of The Public Utilities Act (220 ILCS 5/5-109).

9. The annual report of the Petitioner contains highly proprietary and confidential commercial and financial information, the disclosure of which to competitors, or potential competitors, would be detrimental to Petitioner.

10. The telecommunications industry is highly competitive, and it is imperative that public disclosure of confidential information contained in the annual report of Petitioner be avoided for a period of at least five years following the issuance of an order by the Commission because of the competitive harm which disclosure of such information would likely cause Petitioner.

11. Section 7 of the Illinois Freedom of Information Act, 5 ILCS 140/7(g), exempts from public disclosure "trade secrets and commercial or financial information . . . where the trade secrets or information are proprietary, privileged or confidential." The annual report of Petitioner, which is the subject matter of this Petition, falls within this exemption.

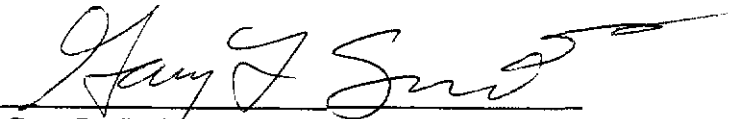
12. Petitioner seeks an order from this Commission, without hearing, protecting from disclosure in its entirety Petitioner's annual report for a period of not less than five years.

WHEREFORE, Petitioner respectfully requests that the Commission enter an order, without hearing, protecting from disclosure in its entirety the 2005 annual report of the Petitioner for a period of not less than five years.

Dated this 1 day of December, 2005.

Respectfully submitted,

ONEIDA NETWORK SERVICES, INC.


By: 
Gary L. Smith

Gary L. Smith (#2644029)
Loewenstein, Hagen, & Smith, P.C.
1204 South Fourth Street
Springfield, IL 62703
Tel.: 217/789-0500
Fax: 217/522-6047

STATE OF ILLINOIS)
)
COUNTY OF SANGAMON) SS

VERIFICATION

GARY L. SMITH, being first duly sworn on oath, deposes and states that he is one of the attorneys for the Petitioner, that he has read the above and foregoing Amended Petition and knows the contents thereof, and that the same are true to the best of his knowledge, information and belief.



Gary L. Smith

Subscribed and sworn to before me
this 5th day of Dec, 2005.



Notary Public

